

April 17, 2015

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
APRIL 17, 2015

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD ON MARCH 20, 2015

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON MARCH 20, 2015?**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

**MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.**

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions from Central Management Services**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	134.....	18
Agriculture.....	330.....	20
Arts Council.....	15.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,357.....	115
Children and Family Services.....	2,644.....	49
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	318.....	69
Commerce Commission.....	68.....	0
Corrections.....	11,148.....	98
Criminal Justice Authority.....	53.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	78.....	5
Employment Security.....	1,230.....	32
Environmental Protection Agency.....	788.....	17
Financial & Professional Regulation.....	446.....	49
Gaming Board.....	162.....	6
Guardianship and Advocacy.....	104.....	8
Healthcare and Family Services.....	2,074.....	26
Historic Preservation Agency.....	149.....	14
Human Rights Commission.....	14.....	2
Human Rights Department.....	139.....	9
Human Services.....	12,928.....	75
Illinois Torture Inquiry Relief Commission.....	3.....	1
Independent Tax Tribunal.....	1.....	0
Insurance.....	239.....	16
Investment Board.....	4.....	2
Juvenile Justice.....	1,053.....	25
Labor.....	95.....	11
Labor Relations Board Educational.....	10.....	2
Labor Relations Board State.....	14.....	2
Law Enforcement Training & Standards Bd.....	17.....	2
Lottery.....	127.....	7
Military Affairs.....	123.....	3
Natural Resources.....	1,190.....	31
Pollution Control Board.....	20.....	2
Prisoner Review Board.....	17.....	0
Property Tax Appeal Board.....	31.....	1
Public Health.....	1,169.....	41
Racing Board.....	2.....	1
Revenue.....	1,732.....	54
State Fire Marshal.....	128.....	12
State Police.....	1,084.....	9
State Police Merit Board.....	5.....	2
State Retirement Systems.....	102.....	3
Transportation.....	2,903.....	0
Veterans' Affairs.....	1,370.....	9
Workers' Compensation Commission.....	124.....	11
<b>TOTALS.....</b>	<b>45,808.....</b>	<b>868</b>

**B. Governing Rule – Section 1.142 Jurisdiction B Exemptions**

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
  - 1) The amount and scope of principal policy making authority;
  - 2) The amount and scope of principal policy administering authority;
  - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
  - 4) The capability to bind the agency, board or commission to a course of action;
  - 5) The nature of the program for which the position has principal policy responsibility;
  - 6) The placement of the position on the organizational chart of the agency, board or commission;
  - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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**C. Criminal Justice Information Authority – proposed exemption (continued from March 20, 2015)**

Position Number	40070-50-05-600-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Associate Director, Adult Redeploy Illinois Unit
Incumbent	Vacant
Supervisor	Executive Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**D1. Illinois Department of Human Services – proposed exemption**

Position Number	13852-10-19-040-00-03
Position Title	Executive II
Bureau/Division	Office of Legislation
Functional Title	Legislative Liaison, Division of Mental Health
Incumbent	Vacant
Supervisor	Chief Legislative Liaison who reports to the Secretary
Location	Sangamon County

**D2. Illinois Department of Human Services – proposed exemption**

Position Number	13852-10-19-040-00-04
Position Title	Executive II
Bureau/Division	Office of legislation
Functional Title	Legislative Liaison, Divisions of Alcoholism and Substance Abuse and Rehabilitation Services
Incumbent	Vacant
Supervisor	Chief Legislative Liaison who reports to the Secretary
Location	Sangamon County

**CMS Recommendation:** “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of the requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**E. Illinois Emergency Management Agency – proposed exemption**

Position Number	40070-50-17-000-10-03
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Chief Accountability Officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

**C: Associate Director, Adult Redeploy Illinois Unit (Criminal Justice Information Authority)**

**D1: Legislative Liaison, Division of Mental Health (Human Services)**

**D2: Legislative Liaison, Divisions of Alcoholism and Substance Abuse and Rehabilitation Services (Human Services)**

**E: Chief Accountability Officer (Emergency Management Agency)**

**VI. CONSIDERATION OF THE STATUS OF PRIVATE SECRETARIES AND CONFIDENTIAL ASSISTANTS EXEMPT FROM JURISDICTION B PURSUANT TO SECTION 4D(1) OF THE PERSONNEL CODE**

VII. CLASS SPECIFICATIONS

A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

The following class titles were submitted for creation by the Director of the Illinois Department of Central Management Services (CMS):

B. Gaming Shift Supervisor  
Gaming Unit Supervisor  
Gaming Operations Supervisor

**CMS Classification Analysis:** “In accordance with terms agreed to between AFSCME collective bargaining representatives and the State of Illinois, and pursuant to the certification by the Illinois State Labor Relations Board into collective bargaining of selected Senior Public Service Administrator (SPSA) and Public Service Administrator (PSA) positions located with the Illinois Gaming Board, the Department of Central Management Services (CMS) has agreed to transition these positions from the aforementioned SPSA and PSA classes into newly created successor classes.

These positions in the Illinois Gaming Board (IGB) are sworn peace officers, acting in a supervisory capacity, which are responsible for on-site law enforcement, inspections and investigations for the Board. The different areas of concentration are installed as options within the class specifications.

OPTION A: Investigations

Investigations option positions are characterized by a concentration in the conduct of suitability background investigations of applicants for Owners’ Licenses, Suppliers’ Licenses, Key Person designations, Occupational Licenses, and all levels of video

gaming licenses. Investigations positions examine an applicant's business practices, financial history, financial stability, education history, employment history and criminal, civil and administrative litigation history. Out-of-state travel is required to conduct the investigations, exchange information, and meet with other jurisdictional authorities. Investigations responsibilities extend to alleged violations of the Riverboat Gambling Act, the Video Gaming Act, Illinois Gaming Board Adopted Rules and Owner Licensees' Internal Control Systems.

**OPTION B: Enforcement**

Enforcement option positions are characterized by a focus on the physical presence of agents in dock site (riverboat casino gambling) and video gaming locations throughout Illinois during all hours of operation in the gaming day. The Enforcement Division is responsible for the on-site enforcement of all regulations related to currently licensed gambling establishments' activities such as cash drops, chip inventories, placement of surveillance equipment, payoff percentages of electronic gaming devices, underage gambling and filing of federally required cash transaction reports. Agents also investigate alleged thefts, embezzlement, money laundering, structuring, cheating and illegal modifications of any gaming device. The presence of the agents and their powers of arrest are intended to provide a safe and secure environment for gaming patrons and personnel.

The different administrative levels are as follows:

- The *Gaming Shift Supervisors* are responsible for supervising gaming agents and police agents on their assigned gaming shift providing an on-site law enforcement and investigative presence at gaming locations or conduct and supervise background investigations and alleged violations of gaming regulations. The Gaming Shift Supervisors report to the Gaming Unit Supervisors.
- The *Gaming Unit Supervisors* are responsible for the oversight of all of the assigned subordinate staff agents on all shifts in that particular unit, squad, site or territory. The Gaming Unit Supervisors report to the Gaming Operations Supervisors.
- The *Gaming Operations Supervisors* coordinate the investigations and operations of up to five teams or units of agents grouped by location or territory. The Gaming Operations Supervisors report to the Division Manager of either Investigations or Enforcement; each Division Manager position is an SPSA option 7 sworn officer exempt from the Personnel Code.”

**WILL THE COMMISSION APPROVE THE CREATION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON MAY 1, 2015?**

- B. Gaming Shift Supervisor**
- Gaming Unit Supervisor**
- Gaming Operations Supervisor**

April 17, 2015

**WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?**

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

**PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?**

IX. RECONVENE THE REGULAR OPEN MEETING

X. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

<b>Agency</b>	<b>2/28/15</b>	<b>3/31/15</b>	<b>3/31/14</b>
Aging	0	<b>0</b>	1
Arts Council	0	<b>0</b>	1
Central Management Services	1	<b>2</b>	0
Children and Family Services	4	<b>2</b>	1
Healthcare and Family Services	5	<b>2</b>	3
Human Services	4	<b>2</b>	3
Insurance	1	<b>0</b>	0
Natural Resources	4	<b>3</b>	0
Revenue	0	<b>0</b>	1
State Retirement Systems	0	<b>0</b>	4
Transportation	9	<b>2</b>	6
Veterans' Affairs	0	<b>0</b>	1
<b>Totals</b>	28	<b>13</b>	21

XI. INTERLOCUTORY APPEAL

**S-34-15**

Employee	Luz M. Guerra	Appeal Date	2/25/15
Agency	Employment Security	Decision Date	4/06/15
Type	Suspension	ALJ	Daniel Stralka
Issue(s)	Motion to Dismiss filed for untimely filing of appeal	Proposal for Decision	Grant the Motion to Dismiss.

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

April 17, 2015

XII. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-31-15**

Employee	Charles E. Tucker	Appeal Date	1/07/15
Agency	Corrections	Decision Date	4/03/15
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Daniel Stralka		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**RV-21-15**

Employee	Mary L. Ray	Appeal Date	11/03/14
Agency	Human Services	Decision Date	03/20/15
Appeal Type	Rule Violation	Proposal for Decision	No violation.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XIII. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

**DA-35-15**

Employee	Deon Sanderfer, Sr.	Appeal Date	3/02/15
Agency	Human Services	Decision Date	3/30/15
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XIV. STAFF REPORT

XV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 1:30 p.m. on Friday, May 15, 2015 at the Commission's Springfield office.**

XVI. MOTION TO ADJOURN